

### **REMARKS**

In the July 25, 2008 Office Action, all of pending claims 1-8, 10 and 14-20 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

#### ***Status of Claims and Amendments***

In response to the July 25, 2008 Office Action, Applicants have amended claim 1 and added new dependent claim 21 as indicated above. Thus, claims 1-8, 10 and 14-21 are pending, with claim 1 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

#### ***Interview Summary***

On October 17, 2008, the undersigned conducted a telephonic interview with Examiner Patrick F. O'Reilly, who is in charge of the above-identified patent application. Applicants wish to thank Examiner O'Reilly for the opportunity to discuss the above-identified patent application during the Interview of October 17, 2008.

Basically, the Office Action notes in page 11 that the claims do not require the selection of the powerful operation mode *by the user*. Thus, during the interview, the undersigned proposed clarifying that the powerful operation mode is selected *by a user* and that the control unit switches to the powerful operation mode from the alternate operation mode upon receiving the selection signal *from the user*, that the air flow direction is set to the predetermined air flow direction when the powerful operation mode is selected regardless of the direction prior to selection of the powerful operation mode, and that the air flow direction returns to the air flow direction set in the mode prior to selection of the powerful operation mode after predetermined time after selection of the powerful operation mode, or something similar. The undersigned then argued that such an amendment more clearly defines how the present invention operates differently than the Great Britain Patent Publication. Specifically, the system in the Great Britain Patent Publication does not change the air flow direction to predetermined direction when the powerful operation mode is selected *by a user* regardless of the air flow direction prior

to selection of the powerful operation mode. Rather, the air flow speed, which the Office Action appears to assert is the powerful operation is adjusted based on other parameters independently from the air flow direction. Examiner O'Reilly also suggested clarifying that "...a powerful operation mode whereby a heat exchanging operation of said air conditioning mechanism is temporarily increased for a predetermined time" in independent claim 1, to which the undersigned agreed.

Generally, agreement was reached that such Amendments to independent claim 1 (outlined in this section of the remarks) appear to overcome the current rejection. However, Examiner O'Reilly indicated that he would need to further consider the actual amendment filed and the prior art before making a final determination on patentability. Also, Examiner O'Reilly indicated that the search would need to be updated and updated before making a final determination on patentability. In any case, Applicants wish to thank Examiner O'Reilly for the general agreement reached during the Interview. Applicants note that the Amendments to claim 1 of this Amendment do not correspond exactly to what was proposed during the Interview so that proper antecedent basis and consistent use of the same terminology is present in the claims. However, the scope of claim 1 present herein is generally the same as proposed during the Interview. New claim 21 is directed to the split system feature of the present invention, which was suggested by Examiner O'Reilly to further distinguish the Great Britain Patent Publication.

### ***Rejections - 35 U.S.C. § 103***

In paragraphs 3-14 of the Office Action, claims 1-4, 6-8, 10, 14, 16, 17, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.K. Patent Application Publication No. 2 260 830 (hereinafter "the GB '830 publication") in view of Japanese Patent Application Publication No. 2000-046401 (hereinafter "the JP '401 publication"); and claims 5, 15 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the GB '830 publication in view of the JP '401 publication, and further in view of the alternative embodiment depicted in Figure 9 of the GB'830 publication. In response, Applicants have amended independent claim 1 as mentioned above.

In particular, independent claim 1 now clearly requires, *inter alia*, said control unit being configured to selectively operate said air conditioning mechanism in a plurality of operation modes including a powerful operation mode whereby a heat exchanging operation

of said air conditioning mechanism is temporarily increased for a predetermined time, and the powerful operation mode being *selected by a user* with the control unit switching to the powerful operation mode from a prior operation mode upon selection of the powerful operation mode *by the user*, the air flow direction being set to the predetermined air flow direction when the powerful operation mode is *selected by the user* regardless of the air flow direction prior to selection of the powerful operation mode, and the air flow direction returning to the air flow direction prior to selection of the powerful operation mode after the predetermined time after selection of the powerful operation mode. Clearly this arrangement is *not* disclosed or suggested by the Shy publication, the Kataoka publication or any other prior art of record.

Specifically, as argued during the Interview, the system in the GB '830 publication does not change the air flow direction to predetermined direction when the powerful operation mode is selected *by a user* regardless of the air flow direction prior to selection of the powerful operation mode. Rather, the air flow speed, which the Office Action appears to assert is the powerful operation is adjusted based on other parameters independently from the air flow direction. Thus, this reference cannot disclose the arrangement of independent claim 1, as now amended. The JP '401 publication does not account for the deficiencies of the GB '830 publication with respect to independent claim 1. More specifically, the JP '401 publication does not disclose or suggest, *inter alia*, the powerful operation mode being *selected by a user* with the control unit switching to the powerful operation mode from a prior operation mode upon selection of the powerful operation mode *by the user*, the air flow direction being set to the predetermined air flow direction when the powerful operation mode is *selected by the user* regardless of the air flow direction prior to selection of the powerful operation mode, and the air flow direction returning to the air flow direction prior to selection of the powerful operation mode after the predetermined time after selection of the powerful operation mode. In fact, the Office Action only relies on this reference to allegedly teach an air conditioning system where the heat exchange capability is temporarily increased. Thus, even if this teaching from the JP '401 publication were somehow combined with the device of the GB '830 publication, the hypothetical device created by this combination would not include all of the features of independent claim 1, as now amended. Accordingly, withdrawal of this rejection of claims 1-4, 6-8, 10, 14, 16, 17, 19 and 20 is respectfully requested.

With respect to the rejection of claims 5, 15 and 18, the embodiment of Figure 9 of the GB '830 publication is merely relied upon to allegedly teach a different swing range during a powerful mode. However, this embodiment, like the embodiment relied upon in the above rejection fails to disclose or suggest the powerful operation mode being *selected by a user* with the control unit switching to the powerful operation mode from a prior operation mode upon selection of the powerful operation mode *by the user*, the air flow direction being set to the predetermined air flow direction when the powerful operation mode is *selected by the user* regardless of the air flow direction prior to selection of the powerful operation mode, and the air flow direction returning to the air flow direction prior to selection of the powerful operation mode after the predetermined time after selection of the powerful operation mode, as now required by independent claim 1. Thus, even if this teaching from the embodiment of Figure 9 of the GB '830 publication were somehow combined with the hypothetical device created by combining the JP '401 publication and the GB '830 publication discussed above, the hypothetical device created by this combination would not include all of the features of independent claim 1, as now amended. Accordingly, withdrawal of this rejection of claims 5, 15 and 18 is respectfully requested.

#### *New Claims*

Applicants have added new claim 21 by the current Amendment.

New claim 21 depends from independent claim 1, and thus, is believed to be allowable for the reasons discussed above with respect to independent claim 1. Also, new claim 21 sets forth the air conditioning mechanism includes an indoor unit with an indoor heat exchanger and an outdoor unit with an outdoor heat exchanger that is connected to the indoor unit, which in combination with independent claim 1, is not believed to be disclosed or suggested in the prior art of record.

#### *Prior Art Citation*

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

Appl. No. 10/573,586  
Amendment dated October 28, 2008  
Reply to Office Action of July 25, 2008

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-8, 10 and 14-21 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,

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